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2812#

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q83216

Akitaka KIMURA

Appln. No.: 09/161,981

Group Art Unit: 2812

Confirmation No.: 8269

Examiner: Mulpuri, S

Filed: October 4, 2004

For: SEMICONDUCTOR LAYER FORMED BY SELECTIVE DEPOSITION AND  
METHOD FOR DEPOSITING SEMICONDUCTOR LAYER

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

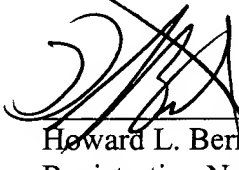
In response to the Office Action dated November 17, 2005, in which the Examiner has required an election of species, Applicant responds by electing Species B, claims 27-39.

Applicant notes that in the Election requirement, the Examiner refers to an "LED". This term, which is not used in the subject application, is ordinarily used to refer to a "light emitting diode". However, the claimed invention is directed to a "light emitting device" and is not limited to a light emitting diode. Among the light emitting devices that are within the scope of the claimed light emitting devices are semiconductor lasers. Applicant therefore respectfully requests that the Examiner not use an abbreviation without an explicit definition of that abbreviation so as to avoid ambiguities in interpretation.

RESPONSE TO RESTRICTION REQUIREMENT  
U.S. Patent Application No. 10/958,385

Prompt and favorable action on the elected claims is now respectfully requested.

Respectfully submitted,



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WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: January 17, 2006